

1 The Examining Attorney Tartera presented Applicant with suggestions for
2 responding to her decision and the Applicant would like to thank the Examining
3 Attorney for the helpful information. Applicant has responded in accordance with the
4 Examining Attorney's suggestions, and therefore, respectfully requests that the p tition
5 be granted.

6 Regarding items 2 and 4, a substitute petition is presented explicitly stating the
7 non-signing inventor's name, Klaus Florian Schuegraf, and last known address as:

8 Klaus Florian Schuegraf
9 26895 Aliso Creek Rd.
10 Suite D, Box 125
11 Aliso Viejo, CA 92656

12 This last known address is the address the application papers, including a
13 specification, claims, drawings, and new declaration with Mr. Schuegraf's last known
14 address, were mailed by certified mail with a return postcard receipt on September 6,
15 2000. A true copy of the new declaration with this last known address printed thereon
16 is submitted with this Reconsideration. True copies of the certified mail label and
17 return postcard receipt are submitted with this Reconsideration.

18 This last known address was verified as being Mr. Schuegraf's address by David
19 G. Latwesen, a shareholder of the firm. Mr. Latwesen acquired the phone number of
20 the address at 26895 Aliso Creek Rd., Suite D, Box 125, Aliso Viejo, CA 92656, through
21 the online (telephonic online) directory service. Mr. Latwesen called the number and
22 a female answered, and Mr. Latwesen asked for Mr. Schuegraf. The female stated Mr.
23 Schuegraf was at work. Mr. Latwesen then inquired as to whom he was speaking, and
the female stated she was Mr. Schuegraf's wife. Mr. D. Brent Kenady, an associate of

1 the firm, witnessed Mr. Latwesen's end of this conversation. A second declaration
2 signed by Mr. Latwesen and submitted with this Reconsideration (Mr. Latwesen's first
3 declaration was provided with the first petition) attests to these facts.

4 Additionally, the substitute petition explains why this last known address (26895
5 Aliso Creek Rd., Suite D, Box 125, Aliso Viejo, CA 92656) is different from the
6 address listed on Mr. Schuegraf's declaration mailed with application papers on July 19,
7 1999 (16351 E. Crystal Ridge Drive, Fountain Hills, AZ 85268). Specifically, the
8 difference is due to the fact that at the time of sending the declaration on July 19, 1999,
9 Mr. Schuegraf's last known address was:

10 Klaus Florian Schuegraf
11 16351 E. Crystal Ridge Drive
12 Fountain Hills, AZ 85268

13 However, after mailing the declaration of July 19, 1999, Applicant acquired new
14 information of the new last known address (26895 Aliso Creek Rd., Suite D, Box 125,
15 Aliso Viejo, CA 92656). Accordingly, the discrepancy in addresses.

16 Please substitute the substitute petition with the petition dated January 3, 2000.
17 Please note that the papers referred to in the January 3, 2000 petition are not
18 resubmitted. Applicant will be glad to resubmit any papers upon request.


19 Regarding item 1, a declaration by Karen Brasfield attests that true copies of
20 the application papers, including a specification, claims and drawings were prepared
21 and mailed by certified mail with a return postcard receipt to Mr. Schuegraf's last
22 known address on September 6, 2000. The return postcard receipt was signed with an
23 illegible signature without a date and received in this office on September 15, 2000 and

1 stamped with such date as is the policy of this firm. A true copy of the returned
2 postcard receipt is present d with this Reconsideration.

3 The accompanying documents are in accordance with the Examining Attorney's
4 suggestions, and therefore, Applicant respectfully requests that the substitute petition
5 be considered and granted. The granting of the substitute petition satisfies the Patent
6 and Trademark Office's request for Missing Parts. Applicant therefore requests that
7 the PTO provide formal notification that the Applicant has satisfactorily responded to
8 the "Notice to File Missing Party of Application" and proceed with substantiv
9 examination of the application.

10 Respectfully submitted,

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12 Dated: 9-29-00

13 By: 
14 D. Brent Kenady
15 Reg. No. 40,045

16 Enclosures: *Substitute Petition for Filing by Assignee; Declaration of Joint Inventors for Patent*
17 *Application; Declaration of David G. Latwesen; Declaration of Karen Brasefield;*
18 *September 6, 2000 Cover Letter to Mr. Schuegraf; Certified Mail Label; Return*
19 *Postcard Receipt*
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